

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

v.

08-cr-106-wmc-1

JOHNNY BRUCE MATHEWS,

Defendant.

A hearing on the probation office's petition for judicial review of Johnny Bruce Mathews' supervised release was held before me on October 20, 2021. At that time, I made detailed findings of fact establishing the defendant's violation of the mandatory condition that prohibits him from committing another federal, state, or local crime when he pleaded guilty on August 28, 2020, to possession of marijuana and bail jumping, and when he was placed on deferred prosecution on a charge of possessing a firearm after being convicted of a felony. He also violated Special Condition No. 4 requiring him to abstain from the use of alcohol and illegal drugs, participate in substance abuse treatment, and submit to drug testing; Special Condition No. 5 requiring him to participate in mental health referral, assessment, and treatment; and Standard Condition No. 11 requiring him to notify his supervising probation officer within 72 hours of being arrested or questioned by law enforcement. Even though these violations warranted the defendant's revocation at that time, I deferred the sentencing part of the judicial review for 90 days in order to give defendant an opportunity to demonstrate a meaningful commitment to sobriety and compliance with the existing terms of his supervised release.

The continuation of that hearing took place before me with the following parties appearing by Zoom video conferencing: Assistant U.S. Attorney Daniel Graber; defendant; defense counsel,

Kathleen Quinn; and U.S. Probation Officer Yang Moua.

FACTS

I make the following, brief supplemental findings of fact from the record, in addition to those stated at the October 20, 2021, hearing and set forth in a written order dated that same day, which are again incorporated here. Defendant has been compliant with his conditions of supervised release since the October 20, 2021, judicial review hearing. More specifically, he has attended all scheduled treatment sessions and has not submitted any urine specimens that have tested positive for illicit substances.

CONCLUSIONS

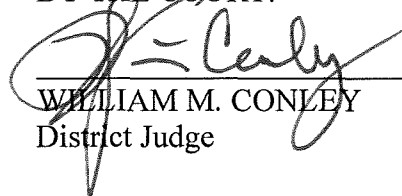
In light of defendant's apparent return to sobriety and compliance with the other terms and conditions of his release, the court will defer his sentencing for another 90 days in order for him to demonstrate his continuing commitment to both.

ORDER

Sentencing in this matter is again deferred until March 21, 2022 at 1:00 p.m. The existing terms and conditions of defendant's supervised release remain in full force and effect pending that hearing. The court will move up that date should defendant commit any further, material violation before that time.

Entered this 24th day of January, 2022.

BY THE COURT:



WILLIAM M. CONLEY
District Judge